

INDIANA LEGISLATURE

[Omissions and curtailments of this report for want of space in this column will appear in an appendix to Volume XXIII of the Brevier Legislative Reports.]

IN SENATE.

THURSDAY, March 19, 1885.

A Senate substitute for the bill (H. R. 101) was passed by yeas 32, nays 3.

THE KNIGHTSTOWN ASYLUM.

A message from the House of Representatives announcing the passage of the bill (H. R. 327) concerning the Soldiers' Orphans' Home and the Asylum for Feeble Minded Children.

On motion by Mr. Hilligass it was read the first time.

Mr. FOULKE moved that it be referred to the special committee heretofore appointed on that subject, with instructions to report to-morrow.

The motion was agreed to.

REPORTER OF THE SUPREME COURT REPORTS.

The bill (S. 94) to reduce the price of Supreme Court Reports to \$2.75 coming up as the special order it was read the third time.

Mr. YOUNG: I notice there is a mistake in the engrossment again. The fine is placed at \$5 instead of \$300.

Mr. OVERSTREET: I don't think this bill ought to pass, because it will be imperative for four years. Two Legislatures will intervene before it goes into operation. Why should we pass any law that is not to take effect until after two General Assemblies shall meet?

Mr. HILLIGASS: I concern fully in what was said by the Senator who has just taken his seat; and as this bill has been discussed, I move it be indefinitely postponed, and on that motion demand the previous question.

The Senate responded to the demand for the previous question, and under its operation the motion was agreed to by yeas 29, nays 12.

Mr. CAMPBELL, of Hendricks: Understanding this bill will not take effect for four years, I vote "aye."

Mr. CAMPBELL, of St. Joseph: I have endeavored to pass this bill, amended, but would rather take this than none at all. I vote "no."

Mr. FAULKNER: I don't believe in working for fellows four years from now; let them do their own work, and we do ours. I vote "aye."

Mr. FOULKE: I believe in planting trees for the benefit of future generations to enjoy.

Mr. McCULLOUGH: I do not believe in planting for future generations trees that will bear unwholesome fruit; I am unalterably opposed to such a bad and unjust precedent. I vote for the indefinite postponement of the bill.

Mr. SELLERS: I think the system of publishing these reports should be changed, but this bill is not what it should be, I vote "aye."

Mr. YOUNG: This bill would be a concession that the Legislature has not independence enough to reduce the salary of an officer who gets \$35,000 a year. I vote "aye."

On motion of Mr. FOULKE it was referred to a special committee of five with instructions to report the facts constituting the obligations on the part of the State, and the contract express or implied made for the reports of each session, and the reasonable value of reports where no price is fixed; and the amount due, and what proper arrangement should be made for the present and future sessions, as to the publication of Legislative Reports.

The motion was agreed to.

The LEUTENANT GOVERNOR makes this committee to consist of Messrs. Smith of Jay, Hutton, Hutton, Yonche and Willard. Mr. Foulke declined to serve because of other pressing committee engagements.

GUARDIANS OF INSANE.

Mr. Howard's bill (S. 141) to authorize the appointment of guardians of insane persons committed to the Hospital for the Insane, etc., was read the third time.

Mr. Sellers and Mr. Overstreet explained its provisions. It gives two jury trials and the expense incident thereto. The Judge of the court can appoint a guardian.

The bill passed by yeas 33, nays 2.

DELINQUENT TAX SALES.

Mr. Smith's bill (S. 143) concerning the sale of real estate for delinquent taxes, and providing for the redemption thereof, was read the third time and passed by yeas 29, nays 2.

OPENING OF THE POLLS.

Mr. BROWN'S bill (S. 145) to amend Section 4,908 of the code concerning elections—polls may be opened at 6 o'clock in the forenoon upon petition of twenty voters and treasurers—coming up in regular order, it was read the second time.

Mr. OVERSTREET: I believe that provision would be injurious. It would lead to trouble. If persons want to practice deception they would be apt to do so before substantial men could get to the polls, and then get in their dirty work.

Mr. DRAKE: This is an exact copy of the present law down to the word "provided." The object is to give opportunity for laboring men to go to the polls, and not have to lose a day's work by going on election day. It is a pretty general rule in all manufacturing towns that men must lose all day if they lose an hour or two in going to the polls.

Mr. BROWN: This bill is for the convenience of workers in large manufacturing establishments and for railroad men. It is a bill that will give great relief, and is not open to the objection urged by the Senator from Johnson (Mr. Overstreet). It is also a copy of the law in Ohio.

Mr. CAMPBELL, of St. Joseph: The bill is unnecessary and dangerous. There are no manufacturing, as far as I know, but give their employees time to vote. The bill proposes undue haste, when we consider the dignity of the voting privilege.

The bill failed to pass for want of a constitutional majority—yeas 25, nays 11.

Then came a recess till 2 o'clock.

AFTERNOON SESSION.

Mr. SCHLOSSER Metropolitan Police bill (S. 175) coming up as a special order on the second reading, with a committee report favoring an amendment making it applicable to cities of 12,000 instead of 10,000, and a minority report recommending that the bill lie on the table.

Mr. JOHNSON, of Tippecanoe, spoke in favor of the bill. Had it not been introduced he would have brought forward such a measure. At his suggestion an amendment is now proposed to reduce the required number of inhabitants of a city to which its provisions shall apply from 10,000 to 12,000.

Mr. FOULKE: A good deal has been said about this being a civil service reform measure. I am ardently in favor of civil service reform in every case; if it is a good thing for a policeman it ought to be a good thing for a fireman. But I am opposed to the Metro-

politan Police bill because it violates the principle that each city and community should manage its affairs in its own way and should have the right to determine whether or not each city desires to leave its police system in the hands of its council, which costs nothing, or to Police Commissioners who will cost \$3,000 or \$4,000 per annum or more. To say they shall necessarily have a Board of Police Commissioners they do not want and that a majority of the people are opposed to it, is a thing I do not believe we have a right to force upon them. In Richmond there is only one dissenting voice against 9,000 who say they do not want such a Metropolitan Police bill. The principle is wrong.

Mr. SMITH, of Jay, moved to amend by appropriately inserting the words "less than 25,000" in the third section.

Mr. NULL made an ineffectual motion—yeas 19, nays 22—to substitute the minority for the majority report.

Mr. THOMPSON, in explaining his vote, said: I was very much opposed to the Metropolitan Police system, but I have changed my mind, but it was worked so well that I am in favor of it now, and shall vote for its introduction elsewhere. The minorities of all cities should favor the Metropolitan Police system. Strangers and all classes of people should be protected, and in any opinion you can get a local police that will do justice on election day. I have seen the police arrest men in this city and keep them in durance for hours simply to influence elections. I vote "no."

Mr. WINTER moved to amend the majority report by substituting the words "Board of Aldermen and Common Council of said city" instead of the words "Governor, Secretary and Auditor of State," and providing for the election of said Commissioners by the Aldermen and Council, and fixing the number of inhabitants at 25,000 to which the bill shall apply. He said: I concur in the statement that the people of every locality should decide for themselves what is best for their own good. I am utterly opposed to the Metropolitan Police bill being extended to a single city in its present form. My amendment only applies to the two cities now provided with a Metropolitan Police system. Under my amendment the minority in the Common Council can designate their representative on the Police Board.

Mr. SMITH, of Jennings: In principle I am opposed to this kind of legislation. Matters of local importance should be controlled by the people of each particular locality. I challenge history to show where local self-government has ever been denied the people except by Republican legislation. We do not have to go far back to find acts of Congress that have disfranchised whole States, and the inhabitants thereof have been ruled by those who were not inhabitants of those States. And it was a question whether free government would live or whether it would be crushed under the hands of eminent civil service reformers like the Senator from Wayne. Home rule has been adhered to by the Democratic party since America took her stand among the nations of the earth. You gentlemen who talk about home rule and self-government from that party which has denied the people self-government. In the days of reconstruction negroes fresh from slavery were put in legislative halls at the point of the bayonet. U. S. troops armed and equipped went into the legislative halls of Louisiana and installed murderers in the place of duly elected representatives of the people. You have been in favor of local self-government when it would make votes for the Republican party and opposed to it when it would lose votes.

I sat in jail two years ago when it was full of policemen, armed with revolvers and hand bags, kept here by the Republican party represented by the then Lieutenant Governor, when the friends of the civil service reformer was trying to talk me to death. The necessity of a Metropolitan Police bill in Indianapolis grew out of the condition of affairs because of mismanagement of the Republican party. Matters got so corrupt an election was known to be a Republican election, and every Republican policeman was understood to be worth twenty-five votes. There never was a city so badly disgraced by a police force as was the city of Indianapolis. It was that there should be a change for the better that the people of Indiana demanded there should be a police bill for the city of Indianapolis.

It was an appeal for relief from Indianapolis alone; I saw appeals from papers outside, stating that unless better government was had county merchants would not come here to buy their goods. If localities will not protect the people a power should be must do so. The Metropolitan Police bill was good to relieve them from the bonds of tyranny and corruption that held them down to the ground. No citizen of Indianapolis who pays a tax and has due regard for his rights would come in here and ask for repeal of that law. The Senator from Marion (Mr. Winter) desires by his amendment to pass these good results to the cesspool from which they sprang. I hope the amendment will be defeated, because I do not see the necessity for any more Metropolitan Police bills in Indiana. I hope the bill will sleep the sleep that will know no waking till the gavel falls at the last hour of this session.

Mr. MARSHALL: I think the amendment fair and just, and hope it will be adopted. As a Republican among the other fifteen on this floor, we have been continually hearing from the Senator who has just spoken that the Republican party have been preventing the people from governing themselves. I deny that if the people have ever been denied self-government it has been done by the Republican party. As a Republican, young in those days, I find nothing in the history of that party where it has disfranchised the people on any occasion. The whole history of the election in the Southern States must have been committed by Democrats, because I have heard on this floor the statement that the majority of the soldiers were Democrats. Talk about taking the rights of the people away. I have seen the colored people knocking down admission a Democratic Senate in Indiana broke a quorum and went home in order to defeat a measure to enfranchise them. The resolutions and platforms of the Democratic party about 1860 and after stated the war was a failure and they wanted peace. I would as soon expect to find reform in the Democratic party as to find an iceberg in Florida or an orange blossom in Ice land. [Laughter.]

Mr. SELLERS moved a substitute for the amendment by inserting "and less than 25,000" in the third section, having a popular vote of over 25,000, and demanded the previous question.

The Senate refused to record the demand.

Mr. HILLIGASS: I have peculiar ideas upon the organization of police force, and I believe the State should make it a creature of law. But I see a disposition to exclude some cities and include others. This proposition does not meet my approbation. I am not in favor of either amendment, but will vote for the one offered by the Senator from Marion (Mr. Winter). I move to indefinitely postpone the bill.

This motion was agreed to by yeas 30, nays 14.

Mr. Brown moved to reconsider the vote just taken and lay that motion on the table. The latter motion was agreed to.

THE KNIGHTSTOWN ASYLUM.

Mr. Smith, of Jennings, returned the bill (S. 271) with amendments providing the Board of Trustees shall consist of four members, one of which shall be a woman, one of which shall belong to the two parties casting the highest number of votes.

Mr. FOULKE explained other amendments.

The pay shall be \$500 for the Trustees with a four years' term; the Superintendent may be removed by the Trustees, and his compensation is fixed at \$1,500. The sound minded soldiers' orphans are to be kept separate from the feeble-minded. The appointment of Trustees is left with the Governor, without confirmation by the Legislature.

On motion by Mr. WEIR the report of the committee was concurred in.

Mr. HILLIGASS: I think it would be wisdom to have this bill printed. It is an important matter, and we can't afford to pass it through in such haste. I move the bill be printed and made the special order for to-morrow at 10 o'clock.

Mr. SMITH, of Jennings: There is an urgency for the passage of this bill now, I would like to see it printed, but I think it is an unnecessary provision, and the bill expressly says they shall be separated. And this bill says that failure to observe the order to separate shall be cause of removal.

Mr. FLEECHE explaining his vote, said that he had no communication from a post of the G. A. R., asking that the children be separated.

Mr. GORDON said he would vote for the bill, but entered his objection to the qualification of the Trustees—that of being honorable discharged soldiers.

Mr. McGOVERN, when his name was called, said: There are objections to the bill. It gives the Superintendent the right to employ teachers and takes it from the hands of the Trustees. This is dangerous one-man power. There are other objections to the bill, but will vote for it, however.

Mr. PENDLETON, in explanation of his vote, said: Because I believe that all benevolent institutions should be non-partisan in their character I vote "aye."

Mr. SMITH, of Tippecanoe: I have held a communication from Post No. 3, G. A. R., of Lafayette, which demands a separation of the children. There being objection, of course I cannot read it. The post desired that two institutions be made, but as this bill is the best we can do at this time I vote "aye."

COLLECTING TAXES.

Mr. FRENCH introduced a bill (H. R. 536) to allow County Treasurers 6 per cent. for collecting taxes. The bill was read the first time and referred to the Committee on County and Township Business.

EXPENSES OF THE SPECIAL SESSION.

Mr. FRENCH introduced a bill (H. R. 537) to allow \$50,000 for expenses of the special session of the Legislature.

On his motion the constitutional rule was suspended, the bill read the second time by title, the third time by section and passed by yeas 27, nays 10.

Mr. K. of Wayne, explaining his vote, said: Because I believe that this voting "no" is only buncombe and that those who do so will be the first to draw their warrant, I vote "aye."

EMPLOYERS OF CORPORATIONS.

Mr. DEBS: I move that the bill (H. R. 92) concerning the liability of corporations to employees be recommitted to a special committee with instructions to add a section preventing corporations from compelling employees to sign a contract releasing said corporations from such liability.

The motion was agreed to.

MEASURE OF COUNTY SURVEYORS.

Mr. TWINEHAM introduced a bill (H. R. 38) relative to a standard measure for County Surveyors. The bill was referred to the Committee on County and Township Business.

ALLOWANCE.

Mr. HELMS offered a concurrent resolution to allow Nina Moore \$20 for reporting testimony in the Munson claim.

The resolution was adopted.

MR. WHITE'S STATEMENT.

Mr. BOYD arose to a question of privilege, having a letter read from Superintendent J. W. White, of the Knightstown Institute, saying that he had discharged any employee save the cook, who was relieved for swearing in the hearing of the children. Mr. Boyd said that such information had been conveyed to him, but he would give Dr. White the benefit of his letter.

TOWNSHIP PROPERTY MATTERS.

Mr. BARR introduced a bill (H. R. 538) to regulate the sale of township property and the building of bridges, etc. The bill was read the first time and referred to the Committee on Ways and Means.

REDUCTIVE APPROPRIATION.

Mr. SAYRE introduced a bill (H. R. 540) to make the number of Representatives of the State thirty in number, and the number of Senators thirty in number.

Mr. GOODING moved to reject the bill.

Mr. ADAMS explained his vote, said he hoped that the bill should pass, as a matter of business and the saving of expense. It was in the interest of the taxpayer. He voted "no."

Mr. BEST: Early in this session high authority said that this session was to be in the interest of retrenchment and reform. He favored such and would vote "no."

Mr. COPELAND: This is no Republican measure as a political scheme. It is something the people want. He voted "no."

Mr. ADAMS explained his vote, said he hoped that the bill should pass, as a matter of business and the saving of expense. It was in the interest of the taxpayer. He voted "no."

Mr. DITTEMORE: The Republicans have got so far away from the public crib that they now propose to keep us out. I vote "aye."

Mr. ENGLE: Every gentleman on this floor will surely think the measure should pass. So will their constituents. It should not be disposed of thus. If a little wrong it should go to a committee for correction.

Mr. FRENCH: If this bill was seriously introduced, it would be a great saving of money to the people. I vote "no."

Mr. HOBAN: If we go to reducing in this ratio, in ten years we will have only one man power. It is easy to have economy on paper, but the Republicans had time to pass this measure and did not. I vote "aye."

Mr. LOYD: I cannot believe this bill emanates from a sincere motive. It is too late in the day now for the Republicans to be serious in this.

Mr. MAUCK: Believing that the bill comes from a sincere motive, I vote "aye."

Mr. MOCK: I believe in such a measure, and had the bill been introduced at the proper time, I would support it, but it is too late. I vote "aye."

Mr. MAUK: I have favored this measure

for years and have so expressed myself to members on this floor. It would be justice to the people. I vote "no."

Mr. MOODY: As some gentlemen have here said that they promised their constituents to bring about this measure, and as they have not thought of it till now, I do not know what to believe. I shall vote "aye."

Mr. OSBORNE: Large bodies move slowly, as this session of the Legislature verifies. Favoring a small body, I vote "no."

Mr. PATTEN: Believing this the worst grievance ever proposed, as it discriminates against Democratic voters and proposes to give the Republicans twenty Senators, I vote "aye."

Mr. PENDLETON: As it is a cheap buncombe measure, I vote "aye."

Mr. RELEY: I hope I will be excused for getting in bad company. Were the Republicans in the majority they would not propose this, but do so because they are in the minority. I do not favor the bill as it is. I vote "no."

Mr. SAYRE: We have plenty of time to pass the bill. We have yet at least thirty-one days. The apportionment bill was put through last session hurriedly. Probably it is unfortunate that I introduced this one. I should have had the gentleman from Marshall (Mr. Kellison) or the gentleman from Clinton (Mr. Staley) introduce it. The measure should pass. I vote "no."

Mr. SMITH, of Tippecanoe: I believe there is a movement in the right direction. Half the number of the Assembly could do the business half as quick. It has been a measure of the gentleman from Washash (Mr. Sayre). I know he is serious about it. One Democrat here said—and probably he is right—that the measure had been originated by a Republican ever originated an honest thing. I would not say that about a Democrat for \$1,000 I have more than \$1,000 self respect than that. I vote "no."

Mr. STALEY: As this bill would be the cutting wedge to break the villainous Congressional apportionment of my district, I vote "no."

Mr. TAYLOR: Not that I would vote for the bill, but because I would not treat a member so discourteously as to reject his bill without consideration, I vote against the motion to reject.

Mr. TWINEHAM: Believing that the principles of the measure are right, that the people demand it, and that there is time for it, I vote "no."

Mr. SPEAKER: The reason why I vote against this bill is because I do not believe in the discourteous treatment of any bill that is courteous in language and apparently constitutional. I do not say I favor the bill. I do not know how many Senators there are, but in looking over this House I do not see that we could spare any of them—not even twelve. [Laughter.] So I vote "no."

Messrs. Gordon, Murphy, Pleasants, Pendleton, Patten, Hoban, Rivers, Loyd, Harrell, and Cresswell changed their votes to "no."

The result was announced as above. So the motion to reject was rejected. The bill was referred to the Committee on Legislative Apportionment.

BUILDING AND LOAN ASSOCIATIONS.

Mr. SCHLEY called up his bill (H. R. 152) to abolish taxes on the stock of building and loan associations, which heretofore failed to pass for want of a constitutional majority.

The bill again failed to pass—yeas 49, nays 26.

GUARDIANSHIP RECORDS.

Mr. GORDON'S bill (H. R. 168) relative to guardianship records, was read the third time.

The bill (H. R. 168) was defeated by yeas 41, nays 46.

FENCING RAILWAYS.

Mr. Engle's bill (H. R. 71) concerning the fencing of railways was read the third time.

Mr. GOODING: The law as it is does not require railways to fence their tracks, but permits them to do it. In case they fence they are not liable, so this law makes no changes. Under this bill the farmer is required to do nothing, the railway company all. If the railway fail to build a fence the farmer may do so and charge the same to the railway.

Mr. GORDON believed that the law is needed by the people. This law ought to have been passed thirty years ago. It is high time to pass it now.

Mr. FRAZER: Small losses by railroads are serious in the aggregate. For instance, a sheep or a horse killed; a farmer can not afford to enter suit for so small a loss, yet it is a loss. But so long as nine-tenths of the members of the Legislature and Judges of the courts carry railroad passes, where is the farmer to get justice?

Mr. BROWNLEE: The bill is due the people. Here is a duty that the railway company ought to perform, and this bill gives them plenty of time.

Mr. DITTEMORE offered the following: Resolved, That all members of the House of Representatives, before voting on House Bill No. 71, be and are hereby requested to surrender to the Clerk of the House all railroad passes now held by them.

The resolution was ruled out of order.

Mr. LOYD: It has been asserted here that the railways pay more now for stock they kill than New York butchers. The condition that farmers should come to Indianapolis to enter suit is an inconvenience that should not be countenanced. I have a railway pass, and have used it, and will do it again; but that will not deter me from doing my duty. The bill is a good one and ought to pass.

Mr. ENGLE: I introduced this bill as the first one I brought forward. It was delayed by the committee, but finally came up here. This bill is drawn after a law in Ohio, Illinois and Iowa. By recommendation of the Railway Committee I have stripped from this bill all that is objectionable.

The bill passed by yeas 60, nays 26.

FAIR GROUND GAMBLING.

Mr. Loyd's bill (H. R. 172) to prevent gambling on fair grounds was read the third time and passed by yeas 81, nays 3.

The House adjourned.

Colored Men Can Be Democrats.

[Norfolk Ledger.] A discussion occurred last night at the Bank Street Baptist Church between two prominent colored men on the question, "Can a Colored Man be a Democrat on Principle?" After hearing the arguments for and against, the committee to whom the question was referred decided in the affirmative. The decision shows that a decided class has taken place in the sentiment of the colored people of this vicinity, for the time was, and that not at a remote period, when such a discussion would not have been tolerated.

She Will Join His Church.

[New York Times.] "There is something that has preyed heavily on my mind ever since our engagement, dear," he said, "but I am almost afraid to tell you of it."

"What is it, George?" the young woman asked anxiously.

"I am a nonambulist,"

"Oh, is that all?" she exclaimed, with a sigh of relief. "I have always been a Universalist myself, but of course when we are made one I shall expect to attend your church."

Mr. MAUK: I have favored this measure

Home Items and Topics.

—All your own fault.

If you remain sick when you can get hop bitters that never fail.

—The weakest woman, smallest child and sickest invalid can use hop bitters with safety and great good.

—Old men tottering around from rheumatism, kidney trouble or any weakness will be made almost new by using hop bitters.

—My wife and daughter were made healthy by the use of hop bitters, and I recommend them to my people.—Methodist Clergyman.

—Ask any good doctor if hop bitters are not the best family medicine on earth!!!

Malarial fever, ague and biliousness will leave every neighborhood as soon as hop bitters arrive.

—My mother drove the paralysis and neuralgia all out of her system with hop bitters.

—Ed. Oswego Sun.

—Keep the kidneys healthy with hop bitters and you need not fear sickness.

—Ice water is rendered harmless and more refreshing and reviving with hop bitters in each draught.

—The vigor of youth for the aged and infirm in hop bitters!!!

—At the change of life nothing equals Hop Bitters to allay all troubles incident thereto.

—The best periodical for ladies to take monthly, and from which they will receive the greatest benefit, is hop bitters.

—Methers with sickly, fretful, nursing children will cure the children and benefit themselves by taking hop bitters daily.

—Thousands die annually from some form of kidney disease that might have been prevented by a timely use of hop bitters.

—Indigestion, weak stomach, irregularities of the bowels can not exist when hop bitters are used.

—A timely use of hop bitters will keep a whole family in robust health a year at a little cost.

—To produce real,